



Docket No.: END920010075US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of: Leonard E. Frey et al.

Group Art Unit: 2164 : IBM Corporation
Examiner: Srirama T. Channavajjala : Intellectual Property Law
Serial No.: 10/040,799 : Department IQ0A/040-3
Filed: 01/07/2002 : 1701 North Street
Title: TRANSACTION METHOD : Endicott, New York 13760
AND SYSTEM

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Georgia Y. Brundege
Georgia Y. Brundege

7/5/05
Date

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

In response to a Notification of Non-Compliant Appeal Brief (37 C.F.R. 41.37) mailed 06/09/05, Appellants hereby enclose a new appeal brief (in triplicate).

The fee was paid with the original appeal brief. However, please charge any fees which may be required to Deposit Account No. 09-0457.

Respectfully submitted,

Dated: 06/30/05

By: *John R. Pivnichny*
John R. Pivnichny
Reg. No. 43,001

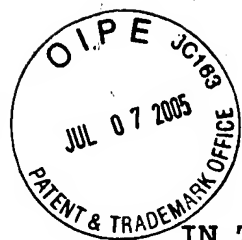
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Alexandria, VA 22313-1450

Dear Sir:

NEW APPEAL BRIEF

In response to a Notification of Non-Compliant Appeal Brief (37 C.F.R. 41.37) mailed 06/09/05, Appellants hereby submit a new appeal brief. Section (v) has been re-written as requested by the indication in Box 4. The indication in box 10 was determined to be in error per a telephone call to Examiner Channavajjala on 6/16/05 and no response is needed to box 10.

Appellants hereby appeal from the Final Action of 01/04/2005 and the Advisory Action of 03/21/2005, and offer the following arguments in support thereof.

(i) REAL PARTY IN INTEREST

The real party in interest is International Business Machines Corporation, a corporation of New York, with a place of business at Armonk, NY 10504

(ii) RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences with which the undersigned is aware.

(iii) STATUS OF CLAIMS

Claims 1 - 2, 4, 6 - 9, 13 - 16, and 18 - 19 are pending in the present application. Claims 1 - 2, 4, 6 - 9, 13 - 16, and 18 - 19 have all been finally rejected and are the subject matter of this appeal.

(iv) STATUS OF AMENDMENTS

An amendment to the Final Action of 01/04/2005 was filed 03/07/2005. The Examiner's Advisory Action of 03/21/2005 maintains the final rejection and the amendment is not entered.

(v) SUMMARY OF CLAIMED SUBJECT MATTER

Appellants' invention relates to a unique system, method, and computer program product for processing transactions between interconnected processing databases when the processing databases are of a different type. (See Specification page 7, lines 1 - 12,

and FIG 1).

Independent claim 1 defines providing a plurality of processing databases of a plurality of types, each having a respective agent. (See Specification page 7, line 1, through page 8, line 9.) Claim 1 also defines providing an intermediary database known as a transaction database. (See Specification page 8, lines 7 - 9, and FIG. 1.) Claim 1 further defines writing a transaction having a key and a detail from a first processing database to the transaction database. (See Specification page 10, lines 5 - 7, and FIG. 2, step 23.) Claim 1 further defines the step of using an agent from a second processing database which is a different type of database than the first processing database, to periodically search the transaction database for a key and a detail to determine whether the agent (from the second processing database) should process a transaction. (See Specification page 10, lines 7 - 15, and FIG. 2, step 24). Claim 1 further defines updating a record in the second processing database using the key and detail. (See Specification page 9, lines 10 - 11).

Appellants' independent claim 8 defines a system for processing transactions. The system comprises a plurality of databases each having a respective agent. (See Specification page 7, line 1, through page 8, line 9.) Claim 8 also has a transaction database. (See Specification page 8, lines 1 - 3, and FIG. 1, element 12). Claim 8 further defines means for writing a transaction having a key and detail from a processing database to the transaction database. Appellants' Specification page 8, lines 4 - 9, sets forth the structure and acts corresponding to this means for writing claim element. Specifically, the respective agent in each processing database is capable of writing a transaction document over the

interconnection to transaction database 12 of FIG. 1.

Claim 8 also defines means for periodically searching, with an agent in a second processing database of a different type, in the transaction database for a key and detail to determine whether the agent should process a transaction. Appellants' Specification page 9, lines 1 - 17, and page 10, lines 7 - 15, sets forth the structure and acts corresponding to this means for periodically searching claim element. Namely, the agent of the second processing database searches the transaction database 12 of FIG. 1 over the interconnection shown in FIG. 1 and page 8, lines 7 - 17, for a key and detail. From the key and detail, the agent determines whether a transaction should be processed. Finally, claim 8 defines means for updating a record in the second processing database using the key and detail. The structure and acts corresponding to this means for updating claim element are set forth in Appellants' Specification page 9, lines 8 - 11. Specifically, the agent in the second processing database replaces data within the document with data from the detail.

Appellants' independent claim 15 defines a computer readable medium having program instruction means for carrying out the same steps defined in claim 1. Support for each of these steps is given above with regard to claim 1.

(vi) GROUND OF REJECTION

There is only one ground of rejection. All of the pending claims, claims 1 - 2, 4, 6 - 9, 11, 13 - 16, and 18 - 19 have been rejected under 35 U.S.C. 103(a) as being unpatentable over

Draper et al. (US Patent 6,192,365) in view of Chandrasekaran, et al. (US Patent 6,738,971). The issue is whether Draper when taken with Chandrasekaran disclose all of the features of Appellants' claims 1 - 2, 4, 6 - 9, 11, 13 - 16, and 18 - 19.

(vii) ARGUMENT

Appellants' independent claims 1, 8, and 15 are finally rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over Draper in view of Chandrasekaran. The Examiner's position is that Draper teaches all of the elements of Appellants' claims 1, 8, and 15 except 'databases of a plurality of types' and 'said second of said plurality of databases having a different type than said first of said plurality of databases.' The Examiner then states that Chandrasekaran specifically teaches 'databases of a plurality of types' in his fig. 2, elements 110, 112; and 'said second of said plurality of databases having a different type than said first of said plurality of databases' in column 2, line 10 - 17, column 3, line 65 - 67, column 4, line 1, because one database system may be an IBM DB2 database while another may be an ORACLE database (column 2, line 10 - 17).

Appellants submit that no such databases of a plurality of types nor a second of said plurality of databases having a different type than said first of said plurality of databases are described or suggested by Chandrasekaran.

Chandrasekaran notes in his column 2, lines 14 - 17, that his database system 104 may be an Oracle database server system while database system 106 may be an IBM database server system such as DB2. However, Appellants' use of the term type of

database is clearly defined in their Specification page 7, lines 3 - 9. Appellants furthermore list the types of databases to include a relational database, a messaging database, a sequential database, a spreadsheet database, or a Lotus Notes database. Furthermore, Appellants give on line 5 and 6, as examples of the relational database type a DB2 database or ORACLE database. Thus it is clear that under Appellants' definition of the term type of database, DB2 and ORACLE are both relational type databases. These are not databases having a different type as required by Appellants' independent Claims 1, 8, and 15. Chandrasekaran therefore does not describe or suggest with his example of Oracle and DB2, this important feature of databases having a different type.

Nor does Chandrasekaran describe or suggest in any of the other portions cited by the Examiner (as listed above), the databases of a plurality of types and a second of said plurality of databases having a different type than said first of said plurality of databases as required by Appellants' independent claims 1, 8, and 15.

All of Appellants' other pending claims depend directly or indirectly on these independent claims and therefore also require these features.

Clearly neither Draper nor Chandrasekaran separately describe or suggest Appellants' claimed invention. Furthermore, there is no suggestion in either document on how either can be modified or combined to provide Appellants' claimed invention.

Appellants' position therefore is that rejection of the pending claims is in error and must be withdrawn. All of the

claims are allowable.

In view of the above, it is respectfully requested that the Board reverse the Examiner's final rejection of all of the claims on appeal and allow these claims.

Respectfully submitted,

Dated: 06/30/05

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(viii) CLAIMS APPENDIX

1. (currently amended) A method of processing transactions, comprising the steps of:

providing a plurality of processing databases of a plurality of types each having a respective agent;

providing a transaction database;

writing one or more transactions, each having a key and a detail, from a first of said plurality of processing databases to said transaction database;

periodically searching, using a processing agent from a second of said plurality of processing databases, said second of said plurality of databases having a different type than said first of said plurality of databases, in said transaction database for a key and detail to determine whether said processing agent should process said one or more transactions; and

updating a record in said second of said plurality of processing databases, by using said key and detail.

2. (original) The method of claim 1, wherein said transaction database is a messaging database.

3. (original) The method of claim 1, wherein said transaction database is a LOTUS NOTES database and said plurality of processing databases are adapted to read said LOTUS NOTES database.

4. (original) The method of claim 1, wherein each of said one or more transactions has a processor designation specifying which of said plurality of processing databases is affected by said each of said one or more transactions.

5. (original) The method of claim 1, wherein said key includes a wildcard character.

6. (original) The method of claim 1, further comprising the step of transferring said one or more transactions from said transaction database to said second of said plurality of processing databases prior to said step of updating a record.

7. (original) The method of claim 1, further comprising the step of setting a status flag in said one or more transactions.

8. (currently amended) A system for processing transactions, comprising:

a plurality of processing databases of a plurality of types each having a respective agent;

a transaction database;

means for writing one or more transactions, each having a key and a detail, from a first of said plurality of processing databases to said transaction database;

means for periodically searching, using a processing agent from a second of said plurality of processing databases, said second of said plurality of databases having a different type than said first of said plurality of databases, in said transaction

database for a key and detail to determine whether said processing agent should process said one or more transactions; and

means for updating a record in said second of said plurality of processing databases, by using said key and detail.

9. (original) The system of claim 8, wherein said transaction database is a messaging database.

10. (original) The system of claim 8, wherein said transaction database is a LOTUS NOTES database and said plurality of processing databases are adapted to read said LOTUS NOTES database.

11. (original) The system of claim 8, wherein each of said one or more transactions has a processor designation specifying which of said plurality of processing databases is affected by said each of said one or more transactions.

12. (original) The system of claim 8, wherein said key includes a wildcard character.

13. (original) The system of claim 8, further comprising means for transferring said one or more transactions from said transaction database to said second of said plurality of processing databases.

14. (original) The system of claim 8, wherein said one or more transactions have a status flag.

15. (currently amended) A computer program product for instructing a computer processor to handle transactions, said computer program product comprising:

a computer readable medium;

first program instruction means for providing a plurality of processing databases of a plurality of types each having a respective agent;

second program instruction means for providing a transaction database;

third program instruction means for writing one or more transactions, each having a key and a detail, from a first of said plurality of processing databases to said transaction database;

fourth program instruction means for periodically searching, using a processing agent from a second of said plurality of processing databases, said second of said plurality of databases having a different type than said first of said plurality of databases, in said transaction database for a key and detail to determine whether said processing agent should process said one or more transactions; and

fifth program instruction means for updating a record in said second of said plurality of processing databases, by using said key and detail; and wherein

all said program instruction means are recorded on said medium.

16. (original) The computer program product of claim 15, wherein each of said one or more transactions has a processor designation specifying which of said plurality of processing databases is affected by said each of said one or more transactions.

17. (original) The computer program product of claim 15, wherein said key includes a wildcard character.

18. (original) The computer program product of claim 15, further comprising sixth program instruction means for transferring said one or more transactions from said transaction database to said second of said plurality of processing databases.

19. (original) The computer program method of claim 15, further comprising sixth program instruction means for setting a status flag in said one or more transactions.